

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LUCILLE DUNN, and husband,)	
JOSEPH DUNN,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:16-cv-2
)	(VARLAN/SHIRLEY)
THE KROGER CO.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is a Motion to Withdraw [Doc. 9], filed on February 16, 2016. By way of background, the Complaint in this case was removed to this Court on January 4, 2016. The Clerk docketed a Notice to Attorney Franz Springmann, Sr., counsel for the Plaintiffs, that he was not admitted to practice in this Court and needed to file a motion for *pro hac vice*.

Subsequently, on February 5, 2016, the Court ordered [Doc. 7] Attorney Springmann to show cause as to why he should not be removed from the case for failure to file a motion for *pro hac vice*. Attorney Springmann filed a Response to the Order to Show Cause [Doc. 8] explaining that he discussed the matter with his clients, and they desired to retain other counsel who regularly appeared before the Court. Attorney Springmann's Response states that he has contacted several attorneys with respect to this case and is continuing his efforts in trying to obtain different counsel for his clients. In the instant Motion [Doc. 9], Attorney Springmann

requests that he be allowed to withdraw pursuant to Tennessee Rule of Professional Conduct 1.16(a)(1).

The Court has considered the filings in this case and finds Attorney Springmann's Motion to Withdraw [**Doc. 9**] to be well-taken, and it is **GRANTED**. The Court expects that Mr. Springmann will provide copies of any relevant documents to any future counsel for the Plaintiffs or directly to the Plaintiffs, upon request. Otherwise, Attorney Springmann is **RELIEVED** of his duties as counsel in this case.

Plaintiffs are hereby **ADMONISHED** that they are **DEEMED** to be proceeding *pro se*. Until they obtain substitute counsel, it is their obligation to stay up to date on the status of this case and comply with the deadlines set by the Court. Likewise, if they elect to proceed in this case without an attorney, they are responsible for complying with all deadlines set by the Court and responding to any requests for relief by other parties, see E.D. Tenn. L.R. 7.1 (. Plaintiffs, like any other party, will be expected to comply with the Federal Rules of Civil Procedure, the Local Rules, and the Court's Orders. To the extent they plan to retain new counsel, they should do so as soon as possible.

The Clerk of Court is **DIRECTED** to mail a copy of this Memorandum and Order to Plaintiffs at the address provided in the Complaint and to enter that address as their contact information in the docket.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge